## REMARKS

In the Office Action mailed March 25, 2008, claims 1-35 were rejected pursuant to 35 U.S.C. § 103(a) as being unpatentable over Salvucci et al. (U.S. Patent No. 2002/0057764). Claims 36-48 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Salvucci in view of Zellner (U.S. Patent No. 2002/0076003). No express grounds of rejection were provided for claim 49, even though the Office Action Summary lists the claim as rejected. Claims 50-74 and 77-85 were rejected as being obvious to one of ordinary skill in the art. No express grounds of rejection were provided for claims 75 and 76, even though the Office Action Summary lists these claims as rejected. Claim 86-87 were rejected based on Salvucci. Claims 88-105 are rejected based on Salvucci and Zellner. Assignee respectfully requests reconsideration of the rejections of pending claims 1-105, including independent claims 1, 15, 35, 49, 67, 76, and 97. Claims 1, 49, and 74 have been amended for clarity.

In view of the uncertain status of claims 49, 75, and 76, and the generality of the reference in the Office Action to rejection or rejections "noted above", and the Figures in general of Salvucci, Assignee respectfully requests specific examination on the features of each claim. "In rejecting claims for want of novelty or for obviousness, the examiner must cite the best references at his or her command. When a reference is complex or shows or describes inventions other than that claimed by the applicant, the particular part relied on must be designated as nearly as practicable." 37 C.F.R. § 1.104(c)(2) (emphasis added). The Assignee has responded below based on the Office Action as best understood, and believes that the next office action cannot be a final office action in view of MPEP 706.07(a).

Independent **claims 1, 15, 35, 49, and 67** recite a media database and a media aggregation program comprising instructions for building a media record based on the incident information and the third party classification information and storing the media record and the third party media in the media database.

Salvucci does not disclose these features. Salvucci discloses only two

databases: a selective routing/ALI database (ref. no. 208, Fig 1) and a system subscriber database (ref. no. 112, Fig 1). The selective routing/ALI database stores addresses and phone numbers, e.g., the address of the original calling station (¶ [0083]), Emergency Service Number (¶ [0082]), Automatic Number Identification (ANI) (¶ [0084]). The system subscriber database stores subscriber data records. The subscriber data records include an ANI, and indicia, such as an address of a notify device (¶ [0149]), telephone number, and type of subscriber telephony device (¶ [0150]).

Salvucci does not store media in a media database, let alone third party media, as claimed. Neither does Salvucci build a media record and store it in a media database. Furthermore, Salvucci is silent with respect to building a media record that, as claimed, is based on incident information and third party classification information together. The third party classification information may include, as examples, a name, contact information, media information, and submitter characteristics, and provides a helpful classification provided by a third party for the incident and associated media that is submitted to the system (specification ¶ [051]).

The claim rejection argues that a media database is inherent in Salvucci. However, the rejection fails to provide a basis in fact and/or technical reasoning to reasonably support the determination that a media database necessarily flows from the teachings of Salvucci. MPEP 2112(IV). Inherency cannot be established by probabilities or possibilities. Thus, Salvucci cannot meet the standard required for inherency. For example, in Salvucci, the data is primarily temporarily stored for re-transmission (see, ¶ [0151]), and no mention is made of any media processing, storage, or manipulation. As a result, it cannot be said that a media database must necessarily flow or must necessarily be present from Salvucci.

Zellner also does not disclose these features. Zellner discloses databases (ref. nos. 52, 56, 68, Figs 5 and 6), but Zellner's databases contain only device-specific information and device characteristics or profile data for a large number of monitoring devices from various manufacturers (¶¶ [0042], [0045]). The information in the Zellner databases does not include media or a media record, as recited in the claims. It is unknown whether the Office Action is relying on a combination of

Zellner and Salvucci to reject claim 49, but, even assuming a reason to combine Zellner and Salvucci, the resulting Zellner-Salvucci combination would not yield the claimed subject matter.

Independent **claim 35** includes the media database and media record features noted above and further recites aggregating supplemental sensor media in the media database in association with at least a portion of the incident information. One benefit of doing so is that the incident record is enriched with addition sensor media obtained over time, thereby providing an evolving description of an event (specification ¶ [045]). As discussed above, neither Salvucci nor Zellner disclose a media database, let alone aggregating supplemental sensor media in the media database. Accordingly, even assuming there is a reason to incorporate the sensors of Zellner into Salvucci as noted in the Office Action, the asserted Salvucci-Zellner combination would not teach or suggest the claimed subject matter.

Independent **claim 49** further recites initiating transmission of a media preservation instruction based on the incidence occurrence time to a sensor near the incident location. One benefit of doing so is that additional supplemental media may be preserved for future analysis (specification ¶ [0111) in a specifically directed and controllable manner. Neither Salvucci nor Zellner alone or in combination teach or suggest this feature.

Independent **claim 76** recites a media database comprising media incident records aggregated over time and supplemental media records aggregated over time. Neither Salvucci nor Zellner teach or suggest this feature.

Claim 76 further recites displaying a selection interface comprising media record indicia associated with matching media records returned from the incident search. Neither Salvucci nor Zellner alone or in combination teach or suggest this feature.

Independent **claim 97**, as amended, recites building a media record based on the incident information and storing the media record and the media in a media database. As discussed above with respect to claims 1, 15, 35, 49, and 67, neither Salvucci nor Zellner alone or in combination teach or suggest these features.

Dependent **claims 2-14, 16-34, 36-48, 50-66, 68-75, 77-96, and 98-105** each depend from one of the independent claims and are allowable for at least the same reasons as their respective base claim. Further features patentably distinguish the dependent claims from Salvucci, Zellner, and the Salvucci-Zellner combination, which are silent with regard to the features. Examples are given below.

Claim 3 recites storing the supplemental sensor media in the media database in association with at least a portion of the incident information. The media database-stored supplemental sensor media may enhance incident reporting and investigation (specification ¶ [047]). As discussed above with respect to claim 1, neither Salvucci nor Zellner teach storing information in a media database.

Claim 16 recites instructions for selecting the subscriber entity based on pre-determined incidents of interest to the subscriber entities. In contrast, Salvucci teaches notifying all the devices listed in a subscriber record (¶ [0136]) without selection.

Claim 17 recites selecting the subscriber entity based on incident proximity. For example, whether an incident alert is sent may depend on whether the incident was close to home, school or work (specification ¶ [074]). Neither Salvucci nor Zellner alone or in combination teach or suggest this feature.

Claim 20 recites selecting the subscriber entity based on an incident party. For example, whether an incident alert is sent may depend on whether the parties are related (specification ¶ [074]). Neither Salvucci nor Zellner alone or in combination teach or suggest this feature.

Claim 29 recites the incident alert further comprising supplemental incident information associated with an additional incident proximate to the incident location. Neither Salvucci nor Zellner alone or in combination teach or suggest this feature.

Claim 38 recites motion detectors near the incident location and that the sensor activation instruction is a motion capture activation instruction. With the ability to capture motion from motion detectors near the incident location, the system may complement its media database with additional relevant incident media in a directed and controlled manner (see, specification ¶ [091]). Neither Salvucci nor Zellner alone or in combination teach or suggest this feature.

Claims 43-46 recite initiating and receiving transmissions to sensors through an ad-hoc sensor network with intermediate nodes and a principal node in communication with the network infrastructure interface through which incident reports are received at the system. Neither Salvucci nor Zellner alone or in combination teach or suggest this feature.

Claims 50-61 recite features concerning pre-incident and post-incident media retention specifiers. These specifiers give the call center the flexibility of determining from which time periods media may be preserved that would otherwise be discarded, destroyed, or otherwise lost (see, specification ¶ [0111). Neither Salvucci nor Zellner alone or in combination teach or suggest this feature.

Claim 69 recites accepting network infrastructure interface inputs corresponding to the incident characteristic information menu that specify the incident characteristic information. Neither Salvucci nor Zellner alone or in combination teach or suggest this feature.

Claim 85 recites a report database for storing the investigation report. Neither Salvucci nor Zellner alone or in combination teach or suggest this feature.

Claims 91-94 recite features concerning automatic update report components. These claims recite an automatic update filter with match criteria that the tool can use to determine matching submitted media and associate matched media with the received incident report, thereby automatically creating a robust report of the incident supported by the automatically matched media. Neither Salvucci nor Zellner alone or in combination teach or suggest this feature.

**CONCLUSION**

Assignee respectfully submits that all of the pending claims are in condition for allowance and seeks early allowance thereof. If for any reason, the Examiner is unable to allow the application but believes that an interview would be helpful to resolve any issues, he is respectfully requested to call the Attorney for Assignee listed below.

Respectfully submitted,

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